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C O N F I D E N T I A L SECTION 01 OF 03 GENEVA 001609

SIPDIS

PRM FOR DAS RYAN; BANGKOK FOR REFCOORD

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TAGS: [PGOV](#) [PREF](#) [PREL](#) [UNHCR](#)

SUBJECT: UNHCR: REFUGEE RESETTLEMENT FROM EAST ASIA AND AFRICA DISCUSSED WITH PRM A/S KELLY RYAN

Classified By: Refugee Counselor Piper Campbell; reasons 1.4 (b) and (d)
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1. (C) Summary: PRM DAS Kelly Ryan discussed ongoing and potential refugee resettlement operations in separate meetings with UNHCR Protection Director Erika Feller and Asia Director Janet Lim in Geneva June 13. Pointing to the fact that there is little access to the highlands and thus to monitoring, DAS Ryan asked that UNHCR refer to the U.S. those Vietnamese Montagnards in Cambodia who have not been yet been granted refugee status by UNHCR. Ryan said colleagues from DHS had reviewed samples of this group and concluded some might qualify for resettlement in the U.S. under Lautenberg Amendment provisions. DAS Ryan identified the situation of Chin refugees in Malaysia and Rohingya refugees in Bangladesh as pressing protection issues in the Asian region and drew attention to the "1972 Burundians" and survivors of the Gatumba camp massacre in the African region. Lim said she views resettlement as an important tool to achieve comprehensive solutions in protracted refugee situations. Lim said UNHCR continues efforts to gain better access to the Vietnamese Highlands to assess voluntary Montagnard returns, and asked that the U.S. channel some of its development funding through UNHCR. Regarding Bhutanese refugees in Nepal, Lim expressed concern about deteriorating conditions and Maoist influence in the camps. She proposed the international community initiate a resettlement program to try to jumpstart direct talks between Nepal and Bhutan on a comprehensive solution. End Summary

2. (U) Deputy Assistant Secretary Kelly Ryan from the Bureau of Population, Refugees, and Migration met Erika Feller, Director of the Protection Division in the office of the High Commissioner for Refugees (UNHCR) and then separately met with Asia Director Janet Lim on June 13. Lim was accompanied by Senior Legal Officer Peter Janssen and Senior Desk Officers Andrew Harper and Mark Rapoport. PRM/Admissions Deputy Director Jan Belz and Joe Cassidy from Mission Geneva also participated in the Lim meeting, while Refugee Counselor Piper Campbell participated in the Feller meeting.

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Resettlement as a UNHCR Priority
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3. (C) DAS Ryan thanked Lim for the Asia Bureau's commitment to its more aggressive use of third-country refugee resettlement in cases where appropriate. Lim said resettlement was a "major focus" of her bureau and a protection tool that is "firmly entrenched" in UNHCR working methods because it provides leverage to achieve comprehensive solutions. In Lim's view, Thailand and Malaysia serve as excellent examples of cooperation on resettlement; she said she would like to devote more attention to India, especially the Afghan refugee caseload. She asked that PRM continue its support for dedicated UNHCR resettlement positions in the field to encourage the "upward trend." DAS Ryan and Belz said U.S. support for resettlement positions could include local positions and explained the ICMC deployment scheme, which has not been used for this purpose in the region. In the Feller meeting, Ryan urged UNHCR to be more creative in thinking about what kind of staff could be provided under the deployment scheme, citing UNHCR's need for temporary clerical or local support in some operations.

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U.S. Offer to Examine Non-refugee Montagnards for Lautenberg Amendment Eligibility
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4. (C) DAS Ryan urged UNHCR to consider referring the Montagnards in Phnom Penh who have not been deemed refugees by UNHCR to the U.S. for resettlement consideration as Lautenberg Amendment cases. She told Feller and Lim that UNHCR's refugee status determinations may have employed too strict a standard and that many claimants would have been found eligible under a U.S. adjudication process. Lim welcomed the suggestion and said it could help improve relations between UNHCR and the Cambodian government. Rapoport asked about another irritant in the Cambodia-UNHCR relationship, the so-called "refusniks," or refugees who

refused repatriation or resettlement, explaining that some in this category may fear that accepting resettlement would permanently separate them from their families. DAS Ryan stressed that derivative refugee consideration is possible for spouses and children under the age of twenty-one to allow families to reunite in the U.S. following resettlement of part of the family. Feller warned that the Cambodians seem determined to move on returning refusniks; that there was "no law requiring Cambodia not to return" people found not to be refugees; and that UNHCR stood by its screening. However, Feller noted that an increasing number of refusniks and refugees who had been reluctant to resettle seemed to be changing their minds. She also indicated an openness to exploring the possible referral of cases on humanitarian grounds. Feller provided Ryan a copy of UNHCR's response to a letter by human rights specialist Peter Lauprecht. Ryan committed to provide UNHCR a paper prepared by DHS colleagues explaining how Lautenberg could apply in the Montagnard cases.

UNHCR Working Toward Better Access to Vietnamese Highlands

15. (C) DAS Ryan said one essential part of the solution for the Montagnard caseload would be access by UNHCR and other international organizations to the Vietnamese Highlands to monitor voluntary returns. Another would be the willingness of the Vietnamese government to grant exit permits to those Vietnamese accepted for resettlement from within Vietnam. Lim said UNHCR is still awaiting Vietnamese approval for deployment of an expatriate Head of Mission in Hanoi. (He is currently forward deployed to Bangkok.) She asked that the U.S. consider earmarking funding for UNHCR to conduct development-related activities in the Highlands that would provide the opportunity for a "routine pattern of visits" to that area.

Concern about "Angry Young" Bhutanese Refugees in Nepal

16. (C) Lim expressed serious concern about the politicization of the Bhutanese camps in Nepal, especially the growing Maoist influence. She said Maoists are seen as now running the "justice system" in the camp and its ideological attraction for "angry young men" is significant. She proposed that the international community jump-start movement towards a comprehensive solution by launching a resettlement program for a small group of cases considered to be most vulnerable. Rather than wait for a bilateral agreement between Nepal and Bhutan, the international community could create needed momentum for consideration of other durable solutions by demonstrating its commitment to resettling appropriate cases. Lim said that refugees are increasingly willing to consider resettlement as an option, but that the Nepali government was giving mixed signals. Lim proposed that UNHCR provide more detailed information on a possible group of vulnerable Bhutanese cases comprising 1500-5000 individuals.

Resettling Burmese from Thailand and Malaysia

17. (C) DAS Ryan told Lim the U.S. is considering whether more Burmese might qualify for resettlement in the U.S. under the Lautenberg Amendment. DAS Ryan identified the situation of the ethnic Chin in Malaysia and the Rohingyas in Bangladesh as particular protection concerns. Ryan praised UNHCR Malaysia's work and noted that it was interesting how a number of Chin in India are married to those in Malaysia -- which might result in resettlement from both sites. She said our resettlement efforts in Thailand's Tham Hin Refugee Camp would continue our focus on refugees in protracted situations.

African Resettlement

18. (C) In the meeting with Feller, Ryan also raised African groups likely to be identified for resettlement. She mentioned the need for speedy resettlement of survivors of the Gatumba camp massacre, who reportedly are receiving new threats. She urged that processing of this group not wait for registration of the larger Banyamulenge population. She said the Targeted Response Team (TRT) had had a good visit to Tanzania. She anticipated moving ahead on resettlement processing of some 15,000 "1972 Burundians" in coming months.

19. (U) This cable was cleared by DAS Ryan.
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